

**MAINE EMS
INVESTIGATIONS COMMITTEE MEETING
WEDNESDAY, OCTOBER 3, 2001
MAINE EMS CONFERENCE ROOM, AUGUSTA**

MEETING MINUTES

Present: S. Leach, R. Doughty, P. Knowlton, C. Pillsbury

Staff: D. White, D. Kinney

1. Call To Order: The meeting was called to order at 12:25 p.m.

A. Additions/Deletions to the Agenda

- 1. Case 01-15 - Investigations**
- 2. Barry Nickelsberg - Investigations**

2. Investigations

A. Phillip Paquette

Staff was notified that Phillip Paquette was out of country at his job as a merchant marine and would be unable to attend the informal conference scheduled for today. Staff will reschedule with Mr. Paquette.

B. Case # 01-15

The Committee received information that a Maine EMS licensee had been convicted of disorderly conduct as a result of a July 12, 1998, incident where the licensee was arrested by a Maine Police Department. Further inquiry revealed that the licensee was allegedly shining a police style flashlight into the windows of parked vehicles and trying the doors of vehicles, and that the licensee fled when he observed the police cruiser.

Additional information received indicates that the licensee, a former dispatcher for a Maine law enforcement agency allegedly misused dispatch information.

Information was also received that alleged that the licensee was banned from premises of one or more local businesses.

Motion: To initiate an investigation of the licensee In re: Case # 01-15 (Doughty; Leach – motion carries 3-0-1, Pillsbury abstains)

C. Barry Nickelsberg

Staff requested that the Committee reconsider the disposition of the Barry Nickelsberg case in light of recent action by the Committee regarding a person no longer licensed by the Board and who was convicted of a felony. In that case, the Committee notified the felon that the felon's conduct and conviction would be considered should he ever apply for Maine EMS licensure.

In that Mr. Nickelsberg's license has expired and that the Committee had initially recommended suspension or revocation in District Court, staff recommends that the Nickelsberg case be disposed of in a manner consistent with the case, noted above, and that the Attorney General representative be notified for the purpose of disposing of the matter in the District Court.

The Committee then discussed the matter with the Board's Attorney General Representative.

Motion: That the Committee finds licensee Barry Nickelsberg, Maine EMS license # 16562, in violation of §§ 11.A.2, 11.A.3, 11.A.7, 11.A.17 and 11.A.18 of the Maine EMS Rules; that the findings of Rules violations is based upon Mr. Nickelsberg's conduct as referenced in the notice of investigation, dated July 6, 2000; that the Board will consider the aforementioned conduct on any subsequent application it receives from Mr. Nickelsberg, and that the Attorney General representative be requested to dismiss the matter pending in District Court.(Doughty;Pillsbury – motion carries)

3. Applications

A. Sally Taylor

The Committee conducted an informal review of Sally Taylor's application for EMT-Basic licensure. Ms. Taylor has a history of criminal convictions (Note: S. Leach excused himself from the meeting at this point due to other commitments).

The Committee reviewed documentation supplied by Ms. Taylor and staff, and numerous letters of recommendations from persons in her community.

Motion: That the Committee enter into a consent agreement with Sally Taylor that provides for the issuance of a 3 year probationary license with the condition that should charges be filed against her in any State or Federal Court for the 3 year term of the license, she shall immediately surrender her license to the Board (Doughty;Pillsbury – motion carries).

4. Other – None.

5. Next Meeting

The next meeting will be held after the next Maine EMS board meeting.

6. Adjourn – The meeting was adjourned at 1:45 p.m.

Respectfully submitted,

Drexell White, Licensing Agent